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**CERTIFICATE OF MAILING**

I hereby certify that this paper is being deposited with the United States Postal Service with sufficient postage as First Class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 15, 2004.

*John Z. Britton*

**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

In the Application of :  
Kenneth D.R. SETCHELL et al. : Confirmation No.: 1706  
Serial No.: 10/625,989 : Art Unit: 1614  
Filing Date: July 24, 2003 :  
For: **Compositions and Products Containing R-Equol, and  
Methods for Their Making**

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 CFR 1.56, 1.97, and 1.98, Applicants request the Examiner to make of record the documents listed on the attached PTO/SB/08 form. In accordance with MPEP 609, the Examiner is requested to initial each document listed on the attached PTO/SB/08 form in the space provided, make a copy of the initialed form, and return the copy to Applicants' attorney.

The documents listed on the attached PTO/SB/08 form came to Applicants' attorney's attention as a result of a PCT International Search Report (copy enclosed) for the PCT patent application corresponding to the above application.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the



right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

This paper and the enclosed documents are being submitted in accordance with 37 CFR 1.97(b), i.e., within three (3) months of the application filing date or prior to a first Office Action on the merits. Therefore, no fee is believed to be due.

Respectfully submitted,

For: Kenneth D.R. SETCHELL, et al.

By:



Daniel F. Nesbitt  
Attorney for Applicant  
Registration No. 33,746  
(513) 229-0383  
Customer Number 26868

September **15**, 2004



<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (Use as many sheets as necessary)				<i>Complete if Known</i>	
				Application Number	10/625,989
				Filing Date	07/24/2003
				First Named Inventor	Kenneth D.R. Setchell, et al.
				Art Unit	1614
				Examiner Name	
				Attorney Docket Number	CHM-013M1
1		of		1	

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)				
		US-	6,194,450B1	02/27/2001	Charpentier et al.	
		US-	6,716,424	04/06/2004	Uchiyama et al.	

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)					

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s) volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>

Examiner Signature		Date Considered	
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